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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,068	10/11/2001	Tim M. Hoberock	10010811-1	1566
<div>7590 03/16/2007 HEWLETT-PACKARD COMPANY Intellectual Property Administration P.O. Box 272400 Fort Collins, CO 80527-2400</div>			<div>EXAMINER TRAN, ELLEN C</div>	
			<div>ART UNIT 2134</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE 03/16/2007</div>	<div>DELIVERY MODE PAPER</div>

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/976,068

Applicant(s)

HOBEROCK ET AL.

Examiner

Ellen C. Tran

Art Unit

2134

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 February 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-7,9-16 and 21-28.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


**KAMBIZ ZAND
PRIMARY EXAMINEE**

Continuation of 11. does NOT place the application in condition for allowance because: No amendments to the claims or arguments were presented that overcome the Final Office Action mailed 20 December 2006.

In response to Applicant's argument beginning on page 11, "In contrast, Lopes does not teach or suggest a system or method for controlling use of a piece of office equipment or a resource available through a piece of office equipment that involves a credit card as an identifier of an authorized user. Rather, Lopes teaches a "proximity badge 100," not a credit card ... according to the final Office Action, "Lopes teaches utilizing a plastic card as an identifier, a credit card is a plastic card; there is no indication in the claims that the credit card is anything more than a plastic card." ... Even those not skilled in this art know what a credit card is. In case the Office is unclear on this point, a credit card is "a card that identifies a person as entitled to have food, merchandise, services, etc., billed on a charge account". Using the broadest reasonable interpretation, the Examiner equates the proximity card to a credit card. In addition Examiner notes the Applicant does not claim the credit card is used to purchase food, merchandise, services, etc. Furthermore Examiner notes the Applicant uses the term "proximity card" throughout the disclosure.

In response to Applicant's argument beginning on page 13, "In contrast Lopes teaches ... Thus, Lopes teaches disabling the use of a computer upon failure to detect a coded message on a badge, e.g., a proximity card, worn by an authorized user. Given the definitions and explanation above, the Office may now understand what a proximity card is and that use of a proximity card and proximity reader does not involve or implicate the use of a mouse or a keyboard. Consequently, Lopes does not appear to teach or suggest the claimed system or method including "placing said equipment or a resource available through said equipment into a locked state upon elapse of a predetermined period during which no user input through a keyboard or a mouse is received". The Examiner disagrees with argument and notes placing the computer in a locked state is a standard feature of screen savers when no input is received. Lopes indicates that this can be performed synchronously with keyboard entry using the broadest reasonable interpretation this is detecting presence of with keyboard entry.

In response to Applicant's argument beginning on page 15, "Thus, claims 22 and 26 recite that a password is entered to initially unlock a piece of office equipment for a predetermined period of time during which a separate identifier can be used instead of the password to unlock the equipment, ... In contrast, Lopes does not teach or suggest this subject matter ... the present invention does not preclude and in fact prefers the use of passwords in addition to the continuous authorization in accordance with the principles of the present invention to provide increased security." This vague statement however does not teach or suggest the claimed concept of initially unlocking a piece of office equipment with a password". The Examiner disagrees and notes one of the purposes of Lopes is to utilize a proximity card instead of re-entering a password. However as indicated by Lopes the use of passwords is not precluded and is not precluded. Therefore using the broadest reasonable interpretation the Examiner equates that the initially unlocking without the use of a password is taught in Lopes.